

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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Donald A. Thomas, Jr.,

Plaintiff,

vs.

ORDER ADOPTING
REPORT AND RECOMMENDATION

Michael J. Astrue, Commissioner
of Social Security,

Defendant.

Civ. No. 07-3313 (PJS/RLE)

* * * * *

Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED:**

1. That the Plaintiff's Motion [Docket No. 10] for Summary Judgment is denied.
2. That the Defendant's Motion [Docket No. 17] for Summary Judgment is granted.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: July 25, 2008

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge